

PAUL C. THOMPSON  
International President

RICK L. MARCEAU  
Assistant President

DAN E. JOHNSON  
General Secretary and Treasurer

**united  
transportation  
union**



14600 DETROIT AVENUE  
CLEVELAND, OHIO 44107-4250  
PHONE: 216-228-9400  
FAX: 216-228-0937  
www.utu.org

**LEGAL DEPARTMENT**

CLINTON J. MILLER, III  
General Counsel

• KEVIN C. BRODAR  
Associate General Counsel

• ROBERT L. McCARTY  
Associate General Counsel

• DANIEL R. ELLIOTT, III  
Associate General Counsel

**UPS Next Day Air**

October 6, 2004

Mr. Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

OCT 07 2004

Part of  
Public Record



Finance Docket Nos. 34561, 34562 and  
Docket No. AB-156 (Sub-No. 25X)

21285  
21286  
21287

Dear Mr. Williams:

Please find enclosed the original, ten copies and a disk in WordPerfect format of United Transportation Union's Petition to Stay to be filed in the above-captioned matter. Also enclosed is United Transportation Union's check in the amount of \$200.00 for the filing fee.

Thank you for your cooperation.

Sincerely,

Daniel R. Elliott, III  
Associate General Counsel

Enclosures

cc: C. J. Miller, III, General Counsel

Before the  
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34561 —

CANADIAN PACIFIC RAILWAY COMPANY  
— TRACKAGE RIGHTS EXEMPTION —  
NORFOLK SOUTHERN RAILWAY COMPANY  
BUFFALO, NY

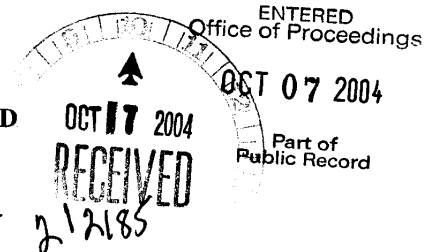
FINANCE DOCKET NO. 34562 —

NORFOLK SOUTHERN RAILWAY COMPANY  
— TRACKAGE RIGHTS EXEMPTION —  
HUDSON RAILWAY COMPANY, INC. — BETWEEN  
SARATOGA SPRINGS, NY, AND BINGHAMTON, NY

DOCKET NO. AB-156 (Sub-No. 25X) —

DELAWARE AND HUDSON RAILWAY COMPANY  
— DISCONTINUANCE OF TRACKAGE RIGHTS —  
BETWEEN LANESBORO, PA AND BUFFALO, NY

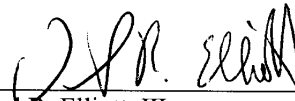
PETITION TO STAY



Daniel R. Elliott, III  
Associate General Counsel  
United Transportation Union  
14600 Detroit Avenue  
Cleveland, Ohio 44107  
Tel: (216) 228-9400  
Fax: (216) 228-0937

United Transportation Union ("UTU") respectfully submits this petition for a stay in the above-captioned proceeding. UTU adopts and incorporates by reference the Petition to Stay Operation of Exemptions filed on October 5, 2004 by the United Transportation Union New York State Legislative Board. Based on the clear reasoning therein, STB should stay the effective date for the exemptions in Finance Docket Nos. 34561 and 34562 pending disposition of the petitions to revoke or the disposition of the petition in AB-156 (Sub-No. 25X).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D.R. Elliott", is written over a horizontal line.

Daniel R. Elliott, III  
Associate General Counsel  
United Transportation Union  
14600 Detroit Avenue  
Cleveland, Ohio 44107  
Tel: (216) 228-9400  
Fax: (216) 228-0937

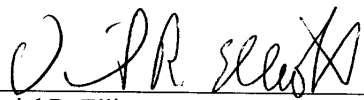
**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing United Transportation Union's Petition to Stay has been served this 6th day of October, 2004 via first-class, postage pre-paid mail upon the following:

Richard A. Allen  
888 - 17th Street, N.W., #600  
Washington, DC 20006

Terrence M. Hynes  
1501 K Street, N.W.  
Washington, DC 20005

Gordon P. MacDougall  
1025 Connecticut Ave., N.W.  
Washington, DC 20036

  
Daniel R. Elliott, III